

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

KIRBY INLAND MARINE, LP

§

Plaintiff,

§

v.

§

No. 3:19-cv-00207

FPG SHIPHOLDING PANAMA 47

§

S.A.,

§

K LINE ENERGY SHIP  
MANAGEMENT,

§

and the VLGC GENESIS RIVER, *in rem*

§

Defendants.

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IN THE MATTER OF KIRBY INLAND §  
MARINE, LP, in a cause of exoneration §  
from or limitation of liability §

Rule 9(h) Admiralty

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Consolidated with

IN THE MATTER OF THE §  
COMPLAINT §  
OF FPG SHIPHOLDING PANAMA 47 §  
S.A. SHIP NO. 138 CO. LTD., ET AL, §  
in a cause for exoneration from §  
or limitation of liability §

Rule 9(h) – Admiralty

**AGREED SUBMISSION OF CLAIMANTS FOR BELLWETHER TRIAL**

Pursuant to the Court's Order Amending Scheduling Order dated May 22, 2020, the parties in the above-captioned cause have conferred and submit the following claimants for inclusion in the bellwether trial set for July 2021. The parties have agreed to five categories

of claimants to include in the bellwether trial: (1) private oyster leaseholder with remediation claim; (2) oyster harvester; (3) shrimper; (4) seafood marketer/processor; and (5) recreational fishing charter. The claimants have selected one bellwether claimant within each category, and the vessel interests (Kirby, the Genesis River Interests, and the BW Oak Interests) have selected one bellwether claimant within each category for a total of 10 bellwether claimants.

The claimants have agreed on the following selections of claimants for participation in the bellwether trial:

<b>Claimant Category</b>	<b>Claimant Name</b>	<b>Claimant Law Firm</b>
Private Oyster Leaseholder with Remediation Claim	Shrimps R Us, Inc.	Baron & Budd, P.C./Cossich Sumich Parsiola & Taylor LLC
Oyster Harvester	Alejandro Gutierrez	Beeton Shabot LLC
Shrimper	Kenneth Hillman	Matthews, Lawson, McCutcheon & Joseph PLLC
Seafood Marketer/Processor	Misho's Oyster Company	Pivach, Pivach, Hufft, Thriffiley & Dunbar, LLC; Garbin Law Firm, LLC
Recreational Fishing Charter	Blaien Friermood	Matthews, Lawson, McCutcheon & Joseph PLLC

In addition, Kirby, the Genesis River Interests, and the BW Oak Interests have agreed on the following selections of claimants for participation in the bellwether trial:

<b>Claimant Category</b>	<b>Claimant Name</b>	<b>Claimant Law Firm</b>
Private Oyster Leaseholder with Remediation Claim	Ivo Slabic	Baron & Budd, P.C./Cossich Sumich Parsiola & Taylor LLC
Oyster Harvester	Rafael Amezola	Beeton Shabot LLC
Shrimper	Kevin Ritzler	Beeton Shabot LLC
Seafood Marketer/Processor	Gulf Coast Oysters, Inc.	Baron & Budd, P.C./Cossich Sumich Parsiola & Taylor LLC
Recreational Fishing Charter	Shawn Warren	Pierce Skrabanek PLLC

Respectfully submitted,

SHIPLEY SNELL MONTGOMERY LLP

By: /s/ George T. Shipley  
 George T. Shipley  
 State Bar No. 18267100  
 Federal ID No. 02118  
 712 Main Street, Suite 1400  
 Houston, Texas 77002  
 Telephone: (713) 652-5920  
 Facsimile: (713) 652-3057  
 gshipley@shipleysnell.com

ATTORNEY-IN-CHARGE FOR  
 KIRBY INLAND MARINE, LP

OF COUNSEL:

Amy L. Snell  
 State Bar No. 24002968  
 Federal ID No. 23039  
 asnell@shipleysnell.com  
 Brooksie Bonvillain Boutet  
 State Bar No. 24097400  
 Federal ID No. 2789069  
 bboutet@shipleysnell.com

SHIPLEY SNELL MONTGOMERY LLP  
712 Main Street, Suite 1400  
Houston, Texas 77002-3201  
Telephone: (713) 652-5920  
Facsimile: (713) 652-3057

AND

Bijan R. Siahatgar  
S.D.T.X. No. 13796  
[bsiahatgar@clarkhill.com](mailto:bsiahatgar@clarkhill.com)  
John K. Spiller  
S.D.T.X. 13993  
[jspiller@clarkhill.com](mailto:jspiller@clarkhill.com)  
David James  
S.D.T.X. No. 588556  
[djames@clarkhill.com](mailto:djames@clarkhill.com)  
Misha Paltiyevich  
S.D.T.X. No. 3060542  
[mpaltiyevich@clarkhill.com](mailto:mpaltiyevich@clarkhill.com)  
CLARK HILL PLC  
909 Fannin Street, Suite 2300  
Houston, Texas 77010  
T: 713.951-5600  
F: 713.951-5660

**CERTIFICATE OF CONFERENCE**

I HEREBY CERTIFY that liaison counsel for claimants, counsel for Kirby Inland Marine, LP, counsel for the Genesis River Interests, and counsel for the BW Oak Interests have conferred and reached the agreements set forth herein.

*/s/ George T. Shipley*  
George T. Shipley

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served on all counsel of record on November 17, 2020, via eFile.

*/s/ George T. Shipley*  
George T. Shipley